IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 4872 of 2007

DATED: 10.8.2007

Between:
G.Rama Rao petitioner

And

The Dist Cooperative Officer,
W.G.District at Eluru & ors

respondents

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ORAL ORDER:

The petitioner who was working as Secretary of the third respondent society was placed under suspension by order dated 7.7.2005 alleging misappropriation of the funds of the third respondent society. Questioning the suspension order dated 7.7.2005 and continuing the petitioner under suspension without conducting enquiry and without paying subsistence allowance, the present writ petition is filed.

Though several grounds were raised in the writ petition, today when the matter is taken up, learned Government Pleader for Cooperation submitted that as against the impugned order 7.7.2005 an appeal lies under Byelaw no.12 of the third respondent society and petitioner without availing the alternative remedy of appeal, approached this Court by filing the present writ petition and the same is not maintainable.

Heard the learned counsel for petitioner and learned Government Pleader for Cooperation. Both counsel agreed for disposal of the writ petition at the admission stage.

Since an alternative remedy of appeal under Byelaw no.12 of the third respondent society is available against the impugned order dated 7.7.2007, without going into the merits of the matter, I deem it appropriate to dispose of the writ petition granting liberty to the petitioner to avail the remedy of appeal.

Accordingly, the writ petition is disposed of. No costs.

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N.V.RAMANA,J

DATE: 10.8.2007
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51

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